

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law, 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101

FILED

AUG 13 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

By: Susan Carboni
Deputy Attorney General
Tel. (973)648-2894

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

_____	:	Administrative Action
IN THE MATTER OF THE	:	
LICENSURE OF	:	
	:	CONSENT ORDER
	:	GRANTING LICENSURE
ELIF B. RASMUSSEN	:	WITH PROBATION
	:	
AS A MASSAGE AND BODYWORK	:	
THERAPIST	:	
_____	:	

This matter was opened to the Board of Massage and Bodywork Therapy ("the Board") upon receipt of the application of Elif B. Rasmussen for licensure as a massage and bodywork therapist. Upon a review of the application and the criminal history background check, it was ascertained by the Board that the applicant had been arrested on seven occasions. On April 12, 1990, two arrests were merged and the applicant was convicted of

violating N.J.S. 2C:21-1, forgery, which the applicant explained as relating to misuse of a credit card. She was sentenced to four years probation. In 1994 the applicant was convicted of possession of marijuana with intent to distribute, in violation of N.J.S. 2C:35-5b(11) and (12) and sentenced to four years probation. In 2002, the applicant was arrested on narcotics-related charges; on June 4, 2007, she was found guilty of disorderly conduct in violation of N.J.S. 2C:33-2(a), and sentenced to six months suspension of driver's license and \$250.00 total in fines and costs. On October 3, 2003 the applicant was convicted of possession of marijuana, and sentenced to three years probation. There was an arrest on June 17, 2003 on charges related to possession of marijuana; no record of the disposition of this matter was located, and the applicant's attorney expressed the belief that the charges were dismissed. On April 19, 2012, the applicant was arrested on charges of theft when she took money from petty cash at her place of employment, which she claims she intended to replace. The applicant did replace the funds, and the charges were dismissed on June 5, 2012.

The Board notes that although the convictions are somewhat distant in time, the conduct involved was repeated and related adversely to consumer protection of massage therapy clients within the intendment of N.J.S.A. 45:1-21(f).

However, The Board finding that granting the applicant's request for licensure is warranted with certain conditions imposed, and that the within order is sufficiently protective of the public health, safety and welfare, and for other good cause shown;

IT IS ON THIS 13th DAY OF August , 2013

HEREBY ORDERED AND AGREED THAT:

1. Ms. Rasmussen's application for licensure shall be granted upon her demonstration that she has satisfied other licensure requirements, if she has not already done so. Ms. Rasmussen shall be placed on probation for a period of two years, dating from the filing of this Order. The conditions of probation are:
 - a) Ms. Rasmussen shall report to the Board within five (5) business days of occurrence any arrest, indictment or conviction for any crime or disorderly persons offense.
 - b) Ms. Rasmussen shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of massage and bodywork therapy in the State or jurisdiction in which she practices massage and bodywork therapy.
 - c) In the event of any arrest(s) for offenses relating adversely to the practice of massage and bodywork therapy, the Board may, if it deems it appropriate, automatically suspend Ms.

Rasmussen's license to practice massage and bodywork therapy in accordance with paragraph #2 below.

2. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that the applicant has violated any term of this Order, Ms. Rasmussen's license may be automatically suspended by the Board. Ms. Rasmussen, upon notice, may request a hearing to contest the entry of such an order. At any such hearing, the sole issue shall be whether any of the information received regarding Ms. Rasmussen was materially false.

3. At the end of the two year term of probation imposed by the Board, Ms. Rasmussen may petition the Board in writing for release from the terms of this Order. In the event that there have been no arrests or convictions during the period of probation, the Board may then grant such a petition by means of a written communication, without need for further Order of the Board.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:

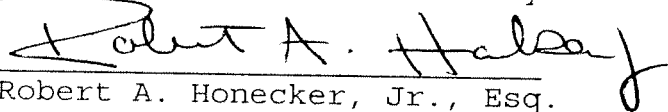


Deborah Overholt
Chairperson

I have read and understand the
Within Consent Order and
agree to be bound by its terms.


Elif B. Rasmussen

Consent as to form and entry:


Robert A. Honecker, Jr., Esq.